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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 2:12-CR-440-RCJ-(GWF)
)
CHARLES HORKY,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on December 18, 2014, defendant CHARLES HORKY pled guilty to Count One of a Three-Count Criminal Indictment charging him with Conspiracy to Conduct or Participate in an Enterprise Engaged in a Pattern of Racketeering Activity in violation of Title 18, United States Code, Sections 1029(a), 1343, 1344, 1952(a)(1) and (a)(3), and 1962(c) and (d); Nevada Revised Statute 201.354; and Title 21, United States Code, Sections 841(a)(1) and 846. Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant CHARLES HORKY agreed to the forfeiture of the property set forth in the Plea Agreement, the Bill of Particulars, and the Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1; Bill of Particulars, ECF No. 92; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement, the Bill of Particulars,

...

1 and the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant
2 CHARLES HORKY pled guilty.

3 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
4 1963(a)(1), (a)(2), (a)(3), and (m):

- 5 1. \$25,873.10 in United States Currency;
- 6 2. \$7,000.00 in United States Currency;
- 7 3. an in personam criminal forfeiture money judgment of \$5,200,000 in United States
8 Currency, including:

- 9 a. Stainless steel Rolex Oyster Perpetual Date Submariner, black dial and
10 bezel, 40mm, Movement #31867604, Model #16610 T, Serial Z840628,
11 134 grams;
- 12 b. 18k yellow gold IWC Schaffhausen chronograph automatic wristwatch
13 with leather, stamped on back 2684354 INTERNATIONAL WATCH
14 CO., two sub dials, 41 mm case, 104.6 grams;
- 15 c. 18k yellow gold Rolex Oyster Perpetual Superlative Chronometer
16 Cosmograph Daytona wristwatch and band, Serial #K258882, Model
17 #116528, Band #78498, movement #C 0255271, white dial with three
18 white sub dials having gold bezels, 39mm case, 179.3 grams;
- 19 d. 18k yellow gold Cartier Pasha Chronograph date wristwatch with leather
20 band with 18k fold-over hidden clasp, Case #319453MG, presentation
21 back, 38.4mm case, white dial with three sub dials and date, 108.8
22 grams; and
- 23 e. Stainless steel Girard-Perregaux Ferrari Chronograph wristwatch with
24 leather band, stamped on back with Girard-Perregaux, Ferrari, A N 853

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1 Ref 8020, Manufacture spécialement pour FERRARI, black dial with
2 prancing horse, three black sub dials and a date window, luminous hour
3 markers and hands, 38mm case, 72.8 grams;
4 (all of which constitutes "property").

5 The United States will not take any position regarding the Nevada Transportation Authority
6 and will abide by properly authorized legal requests, including but not limited to subpoenas, Freedom
7 of Information Act, Touhy, etc.

8 This Court finds the United States of America is now entitled to, and should, reduce the
9 aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
11 United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
13 CHARLES HORKY in the aforementioned property is forfeited and is vested in the United States of
14 America and shall be safely held by the United States of America until further order of the Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
16 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
17 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
18 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
19 name and contact information for the government attorney to be served with the petition, pursuant to
20 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
22 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
23 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
24 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
25 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's

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1 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
2 petition and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
4 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
5 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
6 after the first day of the publication on the official internet government forfeiture site,
7 www.forfeiture.gov.

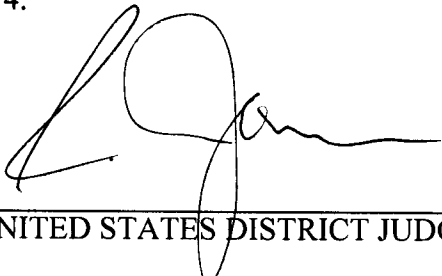
8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
9 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
10 following address at the time of filing:

11 Daniel D. Hollingsworth
12 Assistant United States Attorney
13 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
15 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
16 following publication of notice of seizure and intent to administratively forfeit the above-described
17 property.

18 DATED this 18th day of December, 2014.

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UNITED STATES DISTRICT JUDGE